

## **Dentist Dental Hygienist Licensing Board Minutes**

September 15, 2006  
Room 474, formerly 4A  
160 E 300 S  
Heber Wells Building  
Salt Lake City Utah

**Convened:** 8:21 a.m.

**Adjourned:** 12:30 p.m.

### **Division Staff Present:**

Division Director  
Attorney General's Office  
Bureau Manager  
Board Secretary

J. Craig Jackson  
Mitchell Jones  
Daniel T. Jones  
Lee Avery

### **Members Present:**

Brian Lundberg, DDS, Chairperson  
James Ence, DDS  
Alexander Larsen, DDS  
Brent Larson, DDS  
Joseph Mirci, DDS  
Stephen Morgan, DDS

### **Members Excused:**

Pamela Jolley  
Anna Policelli, RDH  
Karen Bateman, RDH

### **Guests Present:**

Joleen Van Bibber  
G. A. Hibler  
Monte Thompson  
Steven Steed, DDS

### **TOPIC FOR DISCUSSION**

Minutes of August 16, 2006

### **DECISIONS & RECOMMENDATIONS**

The Board reviewed the minutes of August 16, 2006. Dr. Ence motioned to accept the minutes with changes seconded by Dr. Brent Larson. The motion carried unanimously

The Board briefly discussed "The Addicted Brain" Seminar coming to Utah.

The division's Diversion Group is hosting the convention this year. Numerous members in the division will be attending.

**Appointments:**

Dr. Peter Eldridge, Probation Interview

Dr. Eldridge presented himself to the Board. Dr. Ence conducted the interview. The Board asked Dr. Eldridge to bring a log of his prescriptions for its review. Dr. Eldridge advised the Board he had just finished the paperwork with Drug Enforcement Agency (DEA) about three 3 weeks ago and so far has prescribed Lortab three (3) times. Dr. Eldridge stated he keeps track of the prescriptions in the back of his appointment book he uses in Wendover. Dr. Eldridge stated he transcribed this information in his notebook for the Boards review. Dr. Eldridge stated he has moved to a paperless office, he uses Dentrax software and prints out the prescriptions. Dr. Eldridge stated he has staff at the Salt Lake office and no staff at the Wendover office. Dr. Eldridge advised the Board he works in his Salt Lake office Monday and Friday and he works in his Wendover office Tuesday, Wednesday and Thursday. The Board encouraged Dr. Eldridge to print an extra copy of the prescriptions for his file as his notebook may get lost. The Board asked to see Dr. Eldridge in January 2007.

**In Compliance**

Dr. John Day, Probation Interview

Dr. John Day failed to keep his interview with the Board. The Board expressed concerns it wants to address with Dr. Day at his next meeting.

1. Honesty in his dealings and attitude
2. Staff statement of Awareness of his probation
3. Treatment records: ethics of fees
4. Relationship with sponsoring dentist, still occurring, frequency of visits.
5. Understanding that the MOU is for 5 yrs, no changes anticipated with this Board.

**Not in Compliance**

Dr. Steven Steed, Public Health Issues

Dr. Steven Steed presented himself to the Board. Dr. Steed advised the Board he wanted to give it an update regarding the sealant project and the fluoride varnish. The Sealant program funded through the United Way of Greater Salt Lake. The United way is looking into expanding this the Sealant program into Murray, Tooele, Park City and Summit Counties. This program has been going since March 2005, and is concentrating on title one schools which have historically been underserved. There are thirty six (36) Title One schools. Eighteen (18) in the Salt Lake District, fifteen (15) in the Granite District. 2800 first and seconded graders have been helped. Of those 74% received sealants and 60% screened needed referrals for additional work. There are Dental Hygienist and Dental Assistants going into the schools and doing screenings and identifying who needs help and teaching the children about oral health care. Only those who send back the signed permission slips are given the sealants. The program's emphasis is on the first graders at the end of the school year and the seconded graders at the beginning of the school year. There has been a person hired as a case manager who follows through with identifying and contacting the parent of the child and coordinating those screened in getting the additional dental care needed. The goal is to help get these children obtain the initial care needed and then keep them in the loop for follow-up.

Dental assistants, hygienists and pre-dental students have volunteered to assist in with the screenings. The challenge has been getting dentists to volunteer. The Board briefly talked about referring dentists who need community service hours to help. Dr. Steed advised the Board they follow the American Dental Association (ADA) guidelines for what should be sealed and what should not be sealed.

There is a lot of support from the schools, Weber, SL Community College, and the two hygiene schools in Provo have sent students with their instructors.

Dr. Steed stated there has been a question based on the Public Health Umbrella regarding liability, the patient is not a patient of record. The Board discussed the liability concern and requested Mr. Jones to talk with Mitchell Jones, Attorney General's Office for an opinion.

#### Dr. John Myers, Reinstatement Interview

Dr. and Mrs. John Myers presented themselves to the Board with Mr. Hal Raiser, Attorney. Mr. Raiser gave the Board a copy of Dr. Myers practice plan for review. Dr. Myers stated he has completed forty (40) hours of observation. The Board talked with Dr. and Mrs. Myers in detail. Mr. Jones reviewed a proposed Memorandum of Understanding (MOU) with Dr. Myers and the Board. Dr. Myers stated he attends meetings, talks with his sponsor and is going to aftercare. Dr. Myers stated this works for him and he plans to continue indefinitely. Dr. Myers stated he takes his sobriety one day at a time, the longer he stays sober, the more he wants to stay sober. Life is better. Mr. Jones stated the MOU will be very restrictive requiring Dr. Myers to continue with the meetings and drug testing. The Board advised Dr. Myers it wanted a commitment in writing he will not apply for a drug license in the future. The Board also advised Dr. Myers he will need to be honest with his staff and patients. Mr. Jones stated the MOU is still being written and he will get a draft to the Board for review and input. The Board asked Dr. Myers to continue with the observation hours and requested to see Dr. Myers in October to sign the MOU.

#### **In Compliance**

#### Dr. Paul Martinez, Probation Interview

Dr. Paul Martinez presented himself to the Board. Dr. Morgan conducted the interview. The Board noted this is Dr. Martinez's second (2<sup>nd</sup>) interview with it. Dr. Martinez stated he is now working five (5) days a week instead of three (3).

Dr. Martinez stated he is seeing Dr. Brunson once a week and is hoping to be able to see a therapist in Spanish Fork. Dr. Martinez gave the Board his practice plan and an office employee manual addressing sexual harassment.

Dr. Martinez expressed concerns with the Stipulation he signed, i.e. he cannot treat previous employees or family members. His concern is with the previous or current employees of his cattle and construction business. This is 50% to 60% of his business. After discussing this in detail the Board asked Mr. Jones to complete an 'Amendment to Order' allowing Dr. Martinez to treat family members, employees from his cattle and construction businesses. Dr. Martinez asked the Board about having students coming into his office. The Board advised Dr. Martinez a high school class coming into his practice on career day is ok, however, suggested he refrain from other training at this time and re-evaluate it in a year.

The Board asked to see Dr. Martinez in November.

#### **In Compliance**

Dr. David Hendrickson, Probation  
Interview

Dr. David Hendrickson presented himself to the Board. Dr. Mirci conducted the interview. Dr. Hendrickson reviewed with the Board the reason his license was placed on probation is because he enabled his wife and brother-in-law to abuse drugs. He has never abused drugs. Dr Hendrickson advised the Board things were going well. He is having difficulty finding a course in pharmacology and drug abuse that will fill the requirements specified in the Stipulation. The Board referred him to 'The Addicted Brain, by Patrick O'Riley. Dr. Hendrickson advised the Board he is doing some course work on the internet. The Board asked Dr. Hendrickson to re-submit documentation of the continuing education (CE) classes he has completed. Dr. Hendrickson advised the Board his supervising dentist is Dr. Tilt and internist Dr. Robert Mohr.

The Board reviewed the charts Dr. Hendrickson brought. The Board asked Dr. Hendrickson to bring in copies of the dental work he has completed on his wife and encouraged Dr. Hendrickson to refer his wife to another dentist. Dr. Hendrickson advised the Board they attend family counseling each week and he has Dr. Mohr determine the drug program for his wife. Dr. Mohr is a personal friend. The Board reviewed Dr. Hendrickson's practice plan and the numbering system for the prescriptions he writes. Dr. Hendrickson stated the numbering system is now a routine for his staff. Dr. Hendrickson advised the Board each month the numbers start over again. The Board encouraged Dr. Hendrickson to contact the Controlled Substance Data Bank and verify their Controlled Substance list is the same as his list and to keep a master list. The Board asked Dr. Hendrickson to submit a practice plan regarding how dental treatment of his wife will be administered and who will be writing her prescriptions and copies of the continuing education classes he has completed. The Board asked to see Dr. Hendrickson in January 2007.

**In Compliance**

Dr. Brent Sonnenberg, Initial Interview

Dr. Brent Sonnenberg presented himself to the Board. Dr. Ence conducted the interview. Dr. Sonnenberg advised the Board about three (3) years prior he began self medicating for back problems. He had been directed to different physical therapists and massage therapists, however out of desperation for relief, he began self medicating. Dr. Sonnenberg stated he approached his physician about this approximately one year ago and was advised to ween himself down, however, not being responsible to anyone he started increasing his dosage again. As of August 28, 2006 he had completed his third (3<sup>rd</sup>) week in recovery. Dr. Sonnenberg stated he has had an evaluation at both Recovery Bridge and Dayspring and prefers

the program at Recovery Bridge. He was also able to start this one immediately. Dr. Sonnenberg stated he has almost completed the requirements listed in the Stipulation. He will have the results from the physical exam forwarded to the Division. The Board encouraged Dr. Sonnenberg to find someone to be a supervising dentist, who is also aware of his struggles and can turn to for assistance. The Board asked Dr. Sonnenberg to complete a practice plan to include the following:

1. practice plan
2. supervising dentist
3. taking care of patients needs
4. his needs, recovery classes
5. drug screens already set up.

Dr. Brent Larson motioned to reinstate Dr. Sonnenberg's dental license when his physical is given to the Division, seconded by Dr. Ence. The motion carried unanimously. The Board asked to see Dr. Sonnenberg in October.

#### **In Compliance**

#### **Discussion Items:**

Dental Rule Change, discontinuing Law and Rule exam - Daniel T. Jones

Mr. Jones advised the Board the Dentist Dental Hygienist law exam requirement has been removed from rule.

Length of probation – Daniel T. Jones

The Board briefly discussed the length of probations and considering releasing some individuals early on a case by case basis.

Dr. Rod Slater update – Daniel T. Jones

Rod Slater tried to commit suicide. He is in a 90 day In Treatment Program. Had been missing drug screens. He overdosed on anti depressants.

Supervising Dentist - Dr Joe Mirci

Mr. Jones advised the Board Mr. Jackson has expressed interest in not contacting a monitoring company to supervise the dentists.

The Board discussed the role of the supervising dentist noting each supervising dentist will be unique to the situation. The Board also discussed the possibility of having one Board member working directly with a specific supervising dentist, keeping in touch with the supervisor monthly and updating the Board accordingly. The Board also discussed setting guidelines and having the supervising dentist meet with it at the beginning of each probation. The Board discussed the possibility of letting the probationer decide if they would prefer using a monitoring company and if the Division would accept their reports or a supervising dentist. Mr. Jones stated he will discuss this with Mr. Jackson. The Board took no action at this time.

Dr. Morgan motioned to close the meeting at 12:30 p.m.

The next Board meeting is scheduled for October 20, 2006.

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Date Approved

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Chairperson, Licensing  
Board

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Date Approved

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Bureau Manager, Div. of Occupational &  
Professional Licensing



9/15/06 DDS Board, Dan's checklist

1. Mr. Jones stated the MOU is still being written and he will get a draft to the Board for review and input. The Board asked Dr. Myers to continue with the observation hours and requested to see Dr. Myers in October to sign the MOU.
2. Dr. Steed stated there has been a question based on the Public Health Umbrella regarding liability, the patient is not a patient of record. The Board discussed the liability concern and requested Mr. Jones to talk with Mitchell Jones, Attorney Generals Office for an opinion.
3. The Board asked Dr. Hendrickson to re- submit documentation of the continuing education (CE) classes he has completed
4. The Board discussed the possibility of letting the probationer decide if they would prefer using a monitoring company and the Division accepting their reports or a supervising dentist. Mr. Jones stated he will discuss this with Mr. Jackson